

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:07-cr-0066-SEB-MJD
)	
ROGER RICHARDSON,)	- 05
)	
Defendant.)	

REPORT AND RECOMMENDATION

On December 20, and 22, 2017 and November 13, 2019, the Court held hearings on the Petition for Warrant or Summons for Offender Under Supervision filed on November 17, 2017. Defendant Richardson appeared in person with his appointed counsel Dominic Martin. The government appeared by Kendra Klump, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Tim Hardy.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Richardson of his rights and provided him with a copy of the petition. Defendant Richardson orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Richardson admitted violation number 1. [Docket No. 452.] Government moved to dismiss violation numbers 2, and 3 and the same granted.
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

1

“The defendant shall not commit another federal, state, or local crime.”

On November 14, 2017, Roger Richardson was arrested and charged with Dealing in Cocaine (10 or More Grams), felony, and Possession of Cocaine (28 or More Grams), felony, in Marion County, Indiana, under cause number 49G21-1711-F2-044311.

According to the probable cause affidavit, on November 14, 2017, Indianapolis Metro Police Department Drug Task Force served a valid search warrant on the offender's residence and vehicle located at 4020 East 42nd Street in Indianapolis. Prior to the search, law enforcement conducted surveillance on the residence and observed the offender leave the residence in his vehicle. Mr. Richardson was followed by law enforcement and was stopped. He was removed from his vehicle and transported back to his residence. A search by law enforcement of the offender's residence, vehicle and person revealed suspected crack cocaine in excess of 234 grams, digital scales, U.S. currency (\$3,440), a glass (Pyrex) dish with suspected cocaine residue, documents in the name of the offender (Vehicle Purchase Agreement, UPS Priority Mail, and U.S. District Court Documents etc.), and two cell phones. Mr. Richardson was arrested on felony drug charges and transported to the Marion County Jail. Bond was set in the amount of \$100,000 surety.

4. The parties stipulated that:

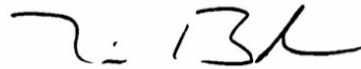
- (a) The highest grade of violation is a Grade A violation.
- (b) Defendant's criminal history category is III.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 30 to 37 months' imprisonment.

5. The government recommended a sentence of thirty (30) months to be served consecutive to the sentence imposed under 1:17-cr-0246-TWP-MJD-1 with no supervised release to follow. Defendant recommended a sentence of time served with thirty (30) months of additional supervision to the imposed supervision of sixty (60) months imposed under 1:17-cr-0246-TWP-MJD-1. Defendant requested placement at FCI Milan.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of thirty (30) months to be served consecutive to the sentence imposed under 1:17-cr-0246-TWP-MJD-1 with no additional supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation. The Magistrate Judge will make a recommendation of placement at FCI Milan.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Dated: 11/20/2019

A handwritten signature in black ink, appearing to read "T. Baker", written over a horizontal line.

Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

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